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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

MAR 17 1989

REPLY TO THE ATTENTION OF
5HSM-12**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**J.B. BULLARD
OFF. OF ENV. MGMT.
N.E. CORNER OF 11TH
ST. CHICAGO, IL.

RE: U.S. Scrap, 12300 S. Cottage Grove Avenue, Chicago, IL. Site Z8

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) in cooperation with the Illinois Environmental Protection Agency (IEPA) has been conducting response actions to address contamination at the U.S. Scrap site in Illinois. U.S. EPA took these actions under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 *et seq.*, as subsequently amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 (CERCLA as amended). Prior to undertaking these response actions, U.S. EPA determined that there was a release or threatened release of hazardous substances from the U. S. Scrap Site.

The then known parties potentially responsible for depositing hazardous wastes at the Site were notified and requested to perform the work at the Site but declined to do so. The U.S. EPA undertook the response actions using monies authorized by CERCLA, as amended.

During a response to an underground fire in 1985 and 1986, U.S. EPA undertook several actions at the site. They included the following:

Removal and Disposal of,

- A. 120 cubic yards of contaminated soil (sulfides and organic solvents),
- B. 60 cubic yards of crushed drums and debris,
- C. One 55-gallon drum of flammable solids,
- D. One 55-gallon drum of polychlorinated biphenyls (PCBs),
- E. Three 55-gallon drums of cyanide waste and
- F. Seventy- six 55 gallon drums of organics.

In addition, the underground fire was extinguished by spreading a cover of clay over the surface. Since that time, U.S. EPA has also undertaken a Special Study/Expanded Site Inspection at the site.

Response costs associated with this site have been incurred by U.S. EPA. The U.S. EPA response costs identified up to October, 1988 for the above referenced site are \$ 1,512,133.95. A summary is enclosed.

Information available to U.S. EPA indicates among other things that you are potentially responsible for the release, or threat of release of hazardous substances from the Site. Pursuant to the provisions of Section 107(a) of CERCLA, as amended, and based on evidence currently available to the Agency, U.S. EPA believes that you may be liable for the payment of all costs incurred by U.S. EPA in connection with the Site. The potentially responsible parties are jointly and severally liable for the whole amount.

Such payment must be made to the U.S. EPA Hazardous Substances Superfund established pursuant to Section 221 of CERCLA, as amended, which is administered by U.S. EPA. Please send your check to U.S. EPA - Region V, Attn: Superfund Accounting, P.O. Box 70753, Chicago, Illinois 60673. Place the site identification number on the check. Please send a copy of your payment check to John Oaks, U.S. EPA, Region V, Waste Management Division (5HSM-12), 230 South Dearborn Street, Chicago, Illinois 60604.

We hereby request that you make restitution by payment of the amount in this letter plus interest, together with any sums hereafter expended by the Agency in connection with the Site pursuant to authority of CERCLA, as amended. Pursuant to Section 107(a) of CERCLA, as amended, interest shall begin accruing as of the date of this demand, if you have not already received a demand letter, and if payment is not received within thirty (30) days of the date of this letter.

Please send your response to, Edward Kowalski, Assistant Regional Counsel, in writing not later than thirty (30) days after the date of this letter.

A copy of your response must also be sent to Mr. Victor Hyatt, 1000 Cambridge Square, Suite D, Alpharetta, Georgia 30201.

If we do not receive a response from you within this time frame, the U.S. EPA will assume that you have declined to reimburse the Fund for the site expenditures, and pursuant to CERCLA, as amended, U.S. EPA may pursue civil litigation against you.

The names of other potentially responsible parties (PRPs) receiving this request for payment are enclosed with this letter to facilitate organization among the identified parties concerning payment. The PRPs should work out an allocation among themselves to apportion costs. As you know, a Steering Committee has been formed to negotiate with the Agency in this matter. You are urged to contact them in connection with this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Kelley", with a stylized, flowing script.

John Kelley, Chief
Superfund Program Management Branch

cc: Jim Jantzen, Division of Land Pollution Control, IEPA,
2200 Churchill Road, Springfield, IL 62706

your RETURN ADDRESS
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